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# UTILITY PATENT APPLICATION

Attorney Docket No.		38-21(15454)B				
First Na	amed Inventor or	Application Identifier	FISHER, Dane K.			
Title	Nucleic Acid	Molecules and Other Mo	olecules Associated with			

Express Mail Label No.	TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))				Title Nucleic Acid Molecules and Other Molecules Associated with Plants					les Associated with
APPLICATION ELEMENTS  See MFEP chapter 600 concerning willty patent application contents  ADDRESS TO: Box Patent Application of Washington, DC 20231  1.				Express 1		0.			0	
See MPEP chapter 600 concerning utility patent application contents	_			Express		<u>.                                    </u>				
Submit an original and a duplicate for fee processing    Total Pages   102   7.   Nucleotide and/or Amino Acid Sequence Submit   Inceptive durangement set forth below)   Descriptive title of the Invention   Description   Descriptio						ADI	ORES	<i>S TO</i> : Box	Patent Appl	ication o
2. Specification (preferred arrangement set forth below)  - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R&D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Summary of the Drawings (if filed) - Detailed Description - Abstract of the Disclosure - Code no Declaration - Abstract of the Disclosure - Code of Declaration - Abstract of the Disclosure - Code of the Code (price of the Code (pr	1.					6.	N	Aicrofiche C	omputer Prog	gram (Appendix)
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- Detailed Description - Claims - Abstract of the Disclosure - Information Disclosure - Copy from a prior application - Abstract of the Disclosure of the Disc			· ·	o (if filed)		ACCC	MDA	<del>_</del>	DI ICATIO	V DA DTC
- Claims - Abstract of the Disclosure 3.				s (if filed)						
Abstract of the Disclosure    Abstract of the Disclosure   Continued on interest of the accompanying application   Continuation   Divisional   Continuation in prior Application   Continuation   Divisional   Continuation   Divi	terret.		Description			<u> </u>		-		
A. Oath or Declaration  [Total Pages 6]  a. Newly executed (original or copy)  b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) (Note Box 5 below)  i. DELETION OF INVENTOR(S) Signed statement attached deleting in ventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  1. Information Disclosure Copies of ID (statement (IDS)/PTO-1449  12. Preliminary Amendment  13. Return Receipt Postcard (MPEP 503) (Two) (should be specifically itemized) (should be specifically itemized)  14. *Small Entity Statement filed in Statement(s) prior application, Status still prope and desired  15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. Other:  **NOTE FOR ITEMS 18.44-IN CREDER TO BE ENTITLED TO PAY SMALL ENTITY PRESS, A SMALL ENTITY SYNTEMENT IS REQUIRED (37 CFR, § 1.27), ENCEPT ONE FILED IN A PRIOR APPLICATION IS BELIED UPON (37 CFR, § 1.27), ENCEPT ONE FILED IN A PRIOR APPLICATION IS BELIED UPON (37 CFR, § 1.28)  17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:    Continuation   Divisional   Continuation-in-part (CIP) of prior application No: / Prior Application Information: Examiner:    Continuation   Divisional   Continuation-in-part (CIP) of prior application No: / Prior Application Information: Examiner:    Customer Number or Bar Code Label	,	- Abstract		[Takel Sharks		10 5			<del>-</del>	•
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b.   Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) (Note Box 5 below)     i.   DELETION OF INVENTOR(S)     Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).     1.3   Small Entity   Statement filed in Statement (s)     Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).     1.3   Small Entity   Statement filed in Statement (s)     Statement(s)   prior application, Status still prope and desired     Statement(s)   Statement filed in Statement (s)   prior application, Status still prope and desired     Statement(s)   prior application     Statement(s)   prior applica	4. 1	Oath or Declara	ation	[Total Pages [	<u>6</u> ]]	111.				
(should be specifically itemized)   (should be specified)   (should be speci	1 1	a. Newl	y executed (original or c	opy)		12.	P	Preliminary A	Amendment	
i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.  17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: Continuation Divisional Continuation-in-part (CIP) Prior Application Information: Examiner:  18. CORRESPONDENCE ADDRESS    Lawrence M. Lavin, Jr., Esq.	1 11		or continuation/divisional wi		13.					
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. Other:  17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  18. CORRESPONDENCE ADDRESS    Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)    Continuation   Continuation   Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)    Continuation   Continuation   Continuation   Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)    Castomer Number or Bar Code Lavin, Jr., Esq.   Monsanto Company	וות ודיים היים	i i	DELETION OF INVENT Signed statement attached del n the prior application, see 3°	TOR(S) leting inventor(s) named		14. [			, <u> </u>	Statement filed in prior application, Status still proper
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as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.  17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  Continuation Divisional Continuation-in-part (CIP) of prior application No:  Prior Application Information: Examiner: Group/Art Unit:  18. CORRESPONDENCE ADDRESS  Customer Number or Bar Code Label or Correspondence address below (Insert Customer No. or Attach bar code label here)  Lawrence M. Lavin, Jr., Esq.  NAME  MONSANTO COMPANY	of the oath or declaration is supplied under Box 4b, is con					*NOTE F	OR ITEM	IS I & 14: IN ORD	ER TO BE ENTITI	ED TO PAY SMALL ENTITY
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Prior Application Information: Examiner: Group/Art Unit:  18. CORRESPONDENCE ADDRESS  Customer Number or Bar Code Label or Correspondence address below (Insert Customer No. or Attach bar code label here)  Lawrence M. Lavin, Jr., Esq.  NAME MONSANTO COMPANY	17.	If a CONTINU	JING APPLICATION,							
Customer Number or Bar Code Label  (Insert Customer No. or Attach bar code label here)  Lawrence M. Lavin, Jr., Esq.  NAME  NAME  NAME  NAME  NAME  18. CORRESPONDENCE ADDRESS  or  Correspondence address below  Correspondence address below  More Name (Insert Customer No. or Attach bar code label here)	Continuation Divisional Continuation-in-part (C									
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NAME MONSANTO COMPANY										
NAME MONSANTO COMPANY		Lawrence M. Lavin, Jr., Esq.								
800 N. Lindbergh Boulevard	NAME MONSANTO COMPANY									
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ADDRESS Mail Zone N2NB				CTATE	156			ain co	DE	62167
CITY         St. Louis         STATE         Missouri         ZIP CODE         63167           COUNTRY         US         TELEPHONE         (314) 694-3602         FAX         (314) 694-1671						Missouri			UE	
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Name (Print/Type)  Lawrence M. Lavin, Jr.  Registration No. (Attorney/Agent) 30,768  Signature  Registration No. (Attorney/Agent) Date September 15, 1999			7	1 : Xx 1	Registra			30,700	Sentember	15 1999

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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Attorney Docket No. 38-21(15454)B

OTHER THAN A

# ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Sir

Transmitted herewith for filing is the patent application of

Inventors:

Dane K. FISHER et al.

For:

Nucleic Acid Molecules and Other Molecules Associated with Plants

#### Enclosed are:

- X A Combined Declaration and Power of Attorney, executed by inventor Dane K. Fisher (3 pages).
- X A Combined Declaration and Power of Attorney, executed by inventor Raghunath V. Lalgudi (3 pages).
- X An Information Disclosure Statement.
- X Form PTO-1449 (3 pages) with 8 accompanying documents.
- X Statement Regarding Sequence Listing.
- X A CD-ROM containing the sequence listing.

The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)		SMALL ENTITY			SMALL ENTITY			
FOR	NO. FILED	NO. EXTRA		RATE	FEE	OR	RATE	FEE		
BASIC FEE		ANN THE STREET			\$ 395.00	OR		\$ 760.00		
TOTAL CLAIMS	7 -20 =	* 0		x 9 =		OR	x 18 =	0.00		
INDEP. CLAIMS	3 -3=	* 0		x 39 =		OR	x 78 =	0.00		
☐ MULTIPLE DEPENDI		+ 130 =		OR	+ 260 =	0.00				
*If the difference in Col. 1		TOTAL		OR	TOTAL	\$ 760.00				
Please charge my Deposit Account No in the amount of \$ A duplicate copy of this sheet is attached.										
X Howrey & Simon Check No. 316232 in the amount of \$760.00 to cover the filing fee is enclosed.										
X The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-4125. A duplicate copy of this sheet is attached.										
<ul> <li>X Any additional filing fees required under 37 CFR 1.16.</li> <li>X Any patent application processing fees under 37 CFR 1.17.</li> </ul>										
X The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 13-4125. A duplicate copy of this sheet is enclosed.										
<ul> <li>X Any patent application processing fees under 37 CFR 1.17.</li> <li>The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).</li> <li>X Any filing fees under 37 CFR 1.16 for presentation of extra claims.</li> </ul>										
Date September 15,	1999	Atto Mo	orney onsanto	M. Lavin, Jr. (of Record o Company ndbergh Boule						

St. Louis, Missouri 63167

Telephone: (314) 694-3602

" Dd R. Mars) Reg. No. 41, 408





Attorneys at Law 1299 Pennsylvania Ave., NW Washington, DC 20004-2402 (202) 783-0800 FAX (202) 383-6610

**Box Patent Application** 

September 15, 1999



Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Non-Provisional Utility Patent Application

Application No.: To Be Assigned

Filed:

Herewith

For:

**Nucleic Acid Molecules and Other Molecules** 

**Associated with Plants** 

Inventors:

Dane K. FISHER et al.

Atty. Docket: 38-21(15454)B



Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

- 1. Utility Patent Application Transmittal (PTO/SB/05);
- 2. Form PTO-1082 (in duplicate);
- 3. U.S. Utility Patent Application entitled:

Nucleic Acid Molecules and Other Molecules Associated with Plants

and naming as inventors:

### Dane K. FISHER and Raghunath V. LALGUDI

the application consisting of:

a.	A specification	containing:
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(i)	100	nages	of a	description	prior 1	to the	claims
(1)	100	pages	oi a	description	prior	io inc	Claims

- (ii) 1 page of claims (7 claims);
- (iii) a one (1) page abstract; and
- (iv) 24,446 pages of a sequence listing;



Assistant Immissioner for Patents September 15, 1999 Page 2

- 4. A Combined Declaration and Power of Attorney, executed by inventor Dane K. Fisher (3 pages);
- 5. A Combined Declaration and Power of Attorney, executed by inventor Raghunath V. Lalgudi (3 pages);
- 6. Statement Regarding Sequence Submission;
- 7. A CD-ROM containing the sequence listing;
- 8. Information Disclosure Statement;
- 9. Form PTO-1449 (3 pages), with <u>8</u> accompanying documents;
- 10. Howrey & Simon Check No. <u>316232</u> in the amount of \$760.00 to cover the basic filing fee; and
- 11. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)

**Enclosures** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dane K. FISHER et al.

Appln. No.: To Be Assigned

Filed:

September 15, 1999

For:

Nucleic Acid Molecules and Other

Molecules Associated with Plants

Art Unit:

To Be Assigned

Examiner:

To Be Assigned

Atty. Docket: 38-21(15454)B

## **Statement Regarding Sequence Submission**

**Assistant Commissioner for Patents** Washington, DC 20231

Sir:

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above-mentioned application are the same.

Respectfully submitted,

Lawrence M. Lavin, Jr. (Reg. No. 30,768)

numer M. Lai, Tr.

Date: September 15, 1999

Monsanto Company 800 N. Lindbergh Boulevard Mail Zone N2NB St. Louis, Missouri 63167 (314) 694-3602

Reg No. 41, 408